

LAW OFFICES OF
GENSBURG & AXELROD
A PROFESSIONAL CORPORATION

RICHARD A. AXELROD
ROBERT A. GENSBURG

101 EASTERN AVENUE
P. O. BOX 189
ST. JOHNSBURY, VERMONT 05819
(802) 748-8161

March 30, 1983

RECORDATION NO. 13184 FILED 1983

APR 4 1983 - 2 25 PM

Interstate Commerce Commission
Office of the Secretary INTERSTATE COMMERCE COMMISSION
Washington, DC 20423

3-094A062

Re: Recordation No. 13184
Lamoille Valley Railroad Company

Dear Sirs:

Enclosed for recording please find Termination Of Railroad
Equipment Lease Agreement dated March 21, and March 23, 1983.

The termination statement terminates the lease recorded on July
14, 1981 bearing recordation no. 13184.

The undersigned is President of the Lamoille Valley Railroad
Company, has personal knowledge of the matters set forth in this
letter of transmittal and the Termination of Railroad Equipment
Lease Agreement, which should be returned to the undersigned at
his address, which is Box 189, St. Johnsbury, Vermont 05819.

The acknowledgments set forth in the termination statement are in
a form authorized by the law of the State of Vermont where the
documents were executed, for the acknowledgment of deeds of land.

Also enclosed is our check for \$50.00, the recording fee.

Very truly yours,

GENSBURG & AXELROD

By: Robert A. Gensburg

encs.

RAGkss

No. APR 4 1983
Date.....
Fee \$50.00
ICC Washington, D. C.

RECEIVED
APR 4 12 27 PM '83
FEE OPERATION BR.

Interstate Commerce Commission
Washington, D.C. 20423

4/4/83

OFFICE OF THE SECRETARY

Robert A. Gensburg
Gensburg & Axelrod
101 Eastern Avenue
P.O.Box 189
St. Johnsbury, Vermont 05819

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on 4/4/83 at 12:35pm, and assigned recordation number(s). 13184-A

Sincerely yours,

Agatha L. Mergenovich
Agatha L. Mergenovich
Secretary

Enclosure(s)

TERMINATION OF RAILROAD EQUIPMENT LEASE AGREEMENT

RECORDATION NO. 13184 A
APR 4 1983 12 25 PM
INTERSTATE COMMERCE COMMISSION

JOHN I. NESTEL of Putney, Windham County, Vermont (hereinafter "Lessor") and LAMOILLE VALLEY RAILROAD COMPANY, a Corporation organized and existing under the laws of the State of Vermont with its principal place of business at Morrisville, Lamoille County, Vermont (hereinafter "Lessee"), in consideration of the premises and covenants and agreements hereinafter set forth, do contact and agree as follows:

PREMISES

1. On December 28, 1977 Lessor and Lessee entered into a certain agreement entitled "Railroad Equipment Lease Agreement" wherein Lessor leased to Lessee, and Lessee took, four ALCO RS3 1600 HP locomotives. By agreement dated July 1, 1981 Lessor and Lessee entered into a certain amendment to that Railroad Equipment Lease Agreement.

2. The Railroad Equipment Lease Agreement, and the amendment thereto, were recorded on July 14, 1981 by the Interstate Commerce Commission and bears it recordation number 13184.

3. Lessee has performed all of the covenants and agreements imposed upon it in the Railroad Equipment Lease Agreement and the amendment thereto.

COVENANTS AND AGREEMENT

4. The lease is terminated effective January 31, 1983.

5. Lessor claims and shall have no right, title or interest in and to the leased property, consisting of four Alco RS3 1600 HP locomotives formerly bearing Delaware and Hudson road numbers 4025, 4068, 4071 and 4094, and now bearing Lamoille Valley Railroad Company road numbers 7801, 7802, 7803 and 7804.

6. The provisions of the Railroad Equipment Lease Agreement, as amended, having been faithfully complied with by Lessee without default, paragraph 12. thereof is effective and the agreement as amended has become a bill of sale of the locomotives, giving, granting, conveying, confirming and selling from Lessor to Lessee all right, title and interest Lessor has in and to the locomotives, warranted by Lessor to be free and clear of any and all encumbrances whatsoever. By the execution hereof Lessor further covenants that the title to the locomotives is good, his transfer of title to the locomotives by him to Lessee is rightful, the locomotives are free from any security interest or other lien or other encumbrance without exception whatsoever (except such security interests, liens or other encumbrances as may have been granted or suffered by Lessee), and that on the 31st day of January, 1983 the locomotives were delivered by Lessor to Lessee free of the rightful claim of any third person by way of infringement or the like, all as set forth in 9A.

V.S.A. §2-312.

IN WITNESS WHEREOF Lessor and Lessee have caused this amendment to be executed effective as of the 31st day of January, 1983.

IN PRESENCE OF:

Mildred A. Austin

Paul Barton

JOHN I. NESTEL

IN PRESENCE OF:

Amble S. S. S.

Butt in

LAMOILLE VALLEY RAILROAD COMPANY

By:

Edward A. Lewis, General Manager

STATE OF VERMONT

WINDHAM COUNTY, ss.

At Brattleboro in said County and State this 21ST day of ~~January~~ ^{MARCH}, 1983, JOHN I. NESTEL, personally appeared and he acknowledged the foregoing amendment by him subscribed to be his free act and deed.

Before me,

Joseph P. L. H.
Notary Public

STATE OF VERMONT

Lamoille COUNTY, ss.

At Morrisville in said County and State this 23rd day of ~~January~~ ^{MARCH}, 1983, EDWARD A. LEWIS, General Manager of Lamoille Valley Railroad Company, personally appeared and he acknowledged the foregoing amendment by him subscribed to be his free act and deed and the free act and deed of Lamoille Valley Railroad Company.

Before me,

Misile Marcoux
Notary Public

CERTIFICATION

The undersigned Robert A. Gensburg, a notary public in and for the State of Vermont, hereby certifies that the "Termination Of Railroad Equipment Lease Agreement" attached hereto has been compared by the undersigned with the original thereof, and that it is a true and correct copy thereof in all respects.

Dated at St. Johnsbury, Vermont this 30th day of March, 1983.




Robert A. Gensburg
Notary Public